

REMARKS

Claims 1, 7 and 16 have been amended. Claims 1, 3-7, 9-16, 18 and 20 remain pending in the application. Favorable reconsideration of the application is respectfully requested.

Claim Rejections - 35 U.S.C. §102

Claims 1, 3-4, 6-7, 9-11 and 14-15 stand rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No. 3,741,786 to Torrey. Torrey discloses a transfer tape having a plurality of pressure sensitive adhesive segments applied thereto, forming patterns of adhesive segments. In the embodiment illustrated in Figures 1-2 of the Torrey patent, a plurality of contiguous segments cover the transfer tape substantially from one side to the other. In the embodiment illustrated in Figures 3-4 of the Torrey patent, rectangular bars extend substantially the entire width of the tape. A very small border is provided along the edges of the transfer to allow use of the transfer tape with a mechanical dispensing apparatus.

In contrast to the present invention, Torrey maximizes the amount of adhesive present on the transfer tape and minimizes the amount of transfer tape that remains uncovered. Torrey teaches multiple adhesive segments disposed in closely spaced relation within segments of the transfer tape, and thus, multiple adhesive segments are positioned in the transverse width of the tape within each longitudinal segment as shown in Figures 1 and 2. Torrey also teaches bars, Figures 3 and 4, which extend the width of

the transfer tape and are closely spaced in the along the length of the transfer tape.

Torrey states that both the bars and the multiple adhesive segments can be "non-contiguous", which Torrey defines as encompassing adhesive segments that abut, touch, or are attached to each other. The configuration of the adhesive segments shown in Figures 1-4 is chosen to maximize the ability to transfer any desired portion of adhesive to a single substrate. In this regard, Figure 4, which illustrates the result of a transfer operation, shows that a very large portion of the adhesive, corresponding to many bars, has been removed.

Claim 1 distinguishes over Torrey by reciting a single row of adhesive segments spaced apart along the longitudinal length of the carrier tape, each of the adhesive segments positioned between the first and the second edges of the carrier tape to provide a transversely extending margin between an outer edge of the adhesive segment and an adjacent one of the first and second edges of the carrier tape that is at least equal to the largest transverse extent of the adhesive segment. Claim 7 distinguishes over Torrey by reciting a series of adhesive segments non-contiguously staggered along the length of the carrier tape in the longitudinal direction, each having a transverse position between the first and the second edges of the transverse width of the carrier tape, the adhesive segments spaced apart longitudinally along the length of the carrier tape providing a longitudinally extending margin between adjacent adhesive segments of a length greater than the longitudinal extent of an adhesive segment. The transverse and longitudinal

spacing thus provided allow the adhesive segments to be individually exposable to an abutting planar surface when the carrier tape is transversely flexed, allowing transfer of a single adhesive segment to a substrate. Applicants maximize the spacing between adjacent adhesive segments, just the opposite of what is shown by Torrey. In contrast, for the embodiment illustrated in Figures 1 and 2 of Torrey, the adhesive segments cover the transfer tape substantially from one side to the other and for the embodiment illustrated in Figures 3-4, the bars either touch or are closely spaced. Thus, Torrey teaches maximizing the number of adhesive segments transferred at a given time.

Accordingly, it is submitted that Claims 1 and 7, which recite providing respectively, a transversely extending margin at least equal to the transverse extent of the adhesive segment and longitudinally extending margin greater than the longitudinal extent of the adhesive segment, clearly distinguish over Torrey and are believed to distinguish patentably over Torrey. Claims 3, 4 and 6, which are dependent upon Claim 1, and Claims 9-11 and 14-15, which are dependent upon Claim 7, are believed to allowable along with respective parent claims.

Claim Rejections - 35 U.S.C. §103

Claims 1, 3-7, 9-16, 18 and 20 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Torrey '786. Claims 1 and 7 have been distinguished over Torrey in the foregoing remarks. Claim 16 distinguishes over Torrey by reciting, generally in the manner of Claim 1, a plurality of spaced-apart adhesive segments distributed on the

carrier tape along the longitudinal length of the carrier tape transversely and noncontiguously disposed on the carrier tape and positioned between the first and second edges of the carrier tape to provide a margin between an outer edge of an adhesive segment and an adjacent one of the first and second edges that is at least equal to the transverse extent of the adhesive segment.

It is submitted that Claims 1, 7 and 16 are not obvious in view of Torrey. Torrey neither discloses nor suggests spacing the bars of adhesive material inwardly an amount at least equal to the transverse extent of the adhesive segment as recited in Claims 1 and 16, or spacing the adhesive segments longitudinally to provide a margin greater than the longitudinal extent of the adhesive segment, as recited in Claim 7. The adhesive segments in Torrey are intentionally arranged in a close adjacent or contiguous manner in order to overcome the specified problems of the prior art recited in Torrey, i.e. having to cut the carrier tape or the adhesive in order to dispense the adhesive, not to allow a single segment to transferred to a substrate. In the embodiment illustrated in Figures 1-2 of the Torrey patent, segments cover the transfer tape from side to side. The segments are said to be disposed in a contiguous fashion. In the embodiment illustrated in Figure 3-4, the bars extend substantially the entire width of the tape. In both cases, the adhesive extends to near the edges of the carrier tape even though, in Figure 4, a very small border is provided along the edges. In the longitudinal direction, drops of adhesive are provided over a large portion of the transfer tape both side to side and along the length of the

transfer tape, as shown in Figures 1-2, or adjacent ones of the bars abut or are spaced apart no more than the longitudinal length of the bars, as shown in Figures 3-4.

Moreover, the configuration of the adhesive segments shown in Figs. 1-4 is intended to maximize the ability to transfer any desired portion of adhesive to a single substrate. The mere substitution of a disk shape for the bar shape, as suggested by the Examiner, would not render obvious the need to provide transverse and longitudinal margins as claimed to allow a single adhesive segment to be transferred. Rather, Torrey teaches away from such spacing, stating that the pattern and spacing of the adhesive on the tape is not critical provided that any amount of adhesive can be applied to a single substrate (see col. 2, lines 67-71, col. 3, lines 69-71, and Claim 1) and by showing in Figs. 1-4, the adhesive segments are either abutting or close adjacent for the purpose of ensuring that multiple segments are transferred to an abutting planar surface when the carrier tape is flexed. This is in direct contrast to the dispensing tape of the present invention, which provides for transferring of a single adhesive segment, transferring a large block of adhesive, which is cited as a distinct advantage of the Torrey invention (col. 6, lines 31-35).

Accordingly, it is submitted that Claims 1, 7 and 16 are not obvious in view of Torrey and are believed to be patentable over Torrey. Claims 3-6, which are dependent upon Claim 1, Claims 9-15, which are dependent upon Claim 7 and claims 18 and 20,

which are dependent upon Claim 16, are believed to allowable along with respective parent claims.

Response to Query

The Examiner has requested that Applicants indicate where there is support in the specification for the recitation that the segments are distinct. Claims 1 and 7, as now presented, no longer recite that the segments are distinct.

Double Patenting

Claims 1, 3-7, 9-16, 18 and 20 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-4 of U.S. Patent No. 6,640,864. Accompanying this response is a Terminal Disclaimer in compliance with 37 C.F.R. 1.321(c) to overcome the double patenting rejection of Claims , 3-7, 9-16, 18 and 20. The conflicting patent, United States Patent No. 6,640,864 and the present application, serial number 10/770,139, are both owned by Glue Dots International, LLC. In view of the filing of the Terminal Disclaimer and the common ownership of the cited patent and the present application, the withdrawal of the obviousness-type double patenting rejection of Claims 1, 3-7, 9-16, 18 and 20 is respectfully requested.

Summary

In summary, Claims 1, 3-7, 9-16, 18 and 20 are believed to be allowable for the reasons given herein. Accordingly, these claims remain pending following entry of this

Amendment, and are believed to be in condition for allowance at this time. As such, Applicants respectfully request entry of the present Amendment and reconsideration of the application, with an early and favorable decision being solicited. Should the Examiner believe that the prosecution of the application could be expedited, the Examiner is requested to call Applicants' undersigned representative at the number listed below.

Respectfully submitted:

BY Leonard J. Kalinowski
Leonard J. Kalinowski
Registration No. 24,207

Reinhart Boerner Van Deuren s.c.
1000 North Water Street, Suite 2100
Milwaukee, WI 53202
(414) 298-8359
Customer No. 22922